

Exhibit 5

**CONFIDENTIAL****In Re: Students For Justice In Palestine**

May 27, 2025

CONDUCT BOARD RECOMMENDATION FORM

I. Regarding an incident that occurred on December 9, 2024, involving respondent Students For Justice In Palestine, we the Level II Conduct Board find the following:

Violation 1 - Violates or assists in the Violation of any policy, procedure or guideline of the University including, but not limited to the following:

② k. Any other policy, procedure, or guideline of the University whether or not listed in the Code.

Responsible **Not Responsible**

Violation 2 - Fails without just cause to comply with the lawful direction of a University official, or other lawful authority having just cause and acting in the performance of their duties and authority.

Responsible **Not Responsible**

II. Regarding an incident that occurred on or about February 4, 2025, involving respondent Students For Justice In Palestine, we the Level II Conduct Board find the following:

Violation 3 - Falsifies information or records submitted to a University official or office.

Responsible **Not Responsible**

Violation 4 - Intimidates, coerces, influences, or attempts to do the same against a person who is participating or has participated in any University process or proceeding.

Responsible **Not Responsible**

Violation 5 - Disrupts or interferes with the conduct process.

Responsible **Not Responsible**



III. Regarding an incident that occurred on or about March 19, 2025, involving Respondent Students For Justice In Palestine, we the Level II Conduct Board find the following:

Violation 6 - Fails without just cause to comply with the lawful direction of a university official, or other lawful authority having just cause and acting in the performance of their duties and authority.

x Responsible **Not Responsible**

COMPLAINANT EVIDENCE AND TESTIMONY

The following is a summary of evidence, including any testimony or documentary evidence that the complainant and/or their witness/witnesses presented during the hearing.

- Evidence:
 - Emails stating behavioral expectations
 - Clear expectations given by Dr. Asher regarding behavior after 12/9
 - SJP's open letter email to university leadership and hearing board members
 - Interim suspension/cease operations letter
 - Social media screenshots from December 9-12 of continued organization of event in library
 - Social media screenshots following interim suspension from an account still indicating association with the University of Pittsburgh
 - Dean Nabor's notes with Aaron Brenner

RESPONDENT EVIDENCE AND TESTIMONY

The following is a summary of evidence, including any testimony or documentary evidence that the complainant and/or their witness/witnesses presented during the hearing.

- Evidence:
 - Dr. Asher's admission that no charges would be brought if students dispersed on 12/9/25
 - Photo of Kappa Delta event signage in Library
 - Testimony of Jonathan Engle regarding whiteboard use in the university library
 - Social media screenshots showing lack of inclusion of School of Law in final post
 - Testimony from co-president, [REDACTED], that the first social post had an error and they fixed promptly



- Conflicting testimony from co-president, [REDACTED], that the hearing board officers were included on the open letter email because they may have had decision making power but then also that they were simply hearing board officers. The open letter email clearly implied a desired positive outcome for the student organization from the hearing.

RATIONALE

We accept as reliable, credible, and relevant the following facts and base our determination regarding responsibility on these facts.

- Rationale
 - **Violation 1** - Violates or assists in the Violation of any policy, procedure or guideline of the University including, but not limited to the following: Any other policy, procedure, or guideline of the University whether or not listed in the Code.
 - Students were compliant on 12/9 with removing items from library property and placing them on their persons
 - Students dispersed when requested by law enforcement
 - Dr. Asher stated that no charges would be filed if students complied with the ask on 12/9 which at the time they did
 - Evidence provided did not compel us to find that this was an event as a sorority was also using library space as a group and utilizing whiteboards as a marking place for their group
 - A library staff member testified that these types of study sessions happen frequently using the same library resources. The testimony indicated that many groups use the whiteboards as “rally points for groups”.
 - Based on the library space policy, we did not find violations to library space usage. Given the behavior of SJP to be similar to other groups studying per testimony, the only difference in this group was the signage and flags that they had and put on their persons when asked to remove.
 - **Violation 2** - Fails without just cause to comply with the lawful direction of a University official, or other lawful authority having just cause and acting in the performance of their duties and authority.
 - Social media posts calling for continued action beyond the 12/9 email conversation with Dr. Asher
 - **Violation 3** Falsifies information or records submitted to a University official or office.
 - Students in good faith assumed that School of Law representative was speaking on behalf of the school



- Removed the School of Law as a signatory when they discovered the person was not permitted to speak on behalf of the school
- **Violation 4** Intimidates, coerces, influences, or attempts to do the same against a person who is participating or has participated in any University process or proceeding.
 - Students included 3 level II hearing officers on email to university leadership (Chancellor, VPSA, Dean of Student, Exec. Associate Dean of Students, Associate Dean of Students, Director of Involvement, and Associate Director of Student Organizations and Advising, OEDI, VC for OEDI, Director of Student Conduct, Associate Director of Student Conduct, Coordinator of Student Conduct) on 2/4/2025 with their demands that the case be dismissed
 - The 3 level II hearing officers did not have any role in changing University policies or procedures thus inferring the inclusion of the hearing officers was to influence them to return a positive hearing outcome
- **Violation 5** Disrupts or interferes with the conduct process.
 - Students emailed 3 hearing officers on 2/4/2025 with their demands that the case be dismissed before an outcome of the case was shared with respondents
 - The 3 level II hearing officers did not have any role in changing University policies or procedures thus inferring the inclusion of the hearing officers was to influence them to return a positive hearing outcome
- **Violation 6** Fails without just cause to comply with the lawful direction of a university official, or other lawful authority having just cause and acting in the performance of their duties and authority.
 - Students posted from platform still titled “Students for Justice in Palestine at Pitt” on 3/19/2025 but received notification of interim suspension on 3/18/2025

SANCTIONING PHASE

We recommend the following sanction(s) to the Vice Provost for Student Affairs.

- Sanctioning
 - Sanctions presented to student organization
 - Suspension of Registration — A cessation of organizational operations until January 1, 2026.



SUPPORTING RATIONALE FOR RECOMMENDED SANCTION(S)

Below is our summary of how the facts (testimony, history, etc.) support the recommended sanction(s).

- Supporting rationale
 - Based on the above testimony, evidence, and rationale, the hearing board recommends suspension of registration to create an opportunity of reflection and reorganization for the student organization.
 - The sanction is based on the student organization failing to comply with the direction of a university official multiple times.
 - The timeframe of the sanction is recommended because the critical work of student organizations like SJP is essential for dialogue and discourse on campus and we would like the student organization to be able to reorganize, reflect, and plan for ways to be a registered student organization that complies with University policy.

Conduct Board Hearing Officer's Printed Name

Conduct Board Officer's Signature

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